

New law provides that any contract awarded or executed, or purchase made in violation of the criminal statute defining public bribery, and where a conviction has been obtained, shall be null and void and shall not be enforced in the courts of this state.

New law provides that in instances where the contract or purchase agreement encompasses a service or commodity that is of a vital need to or for the public, a court may allow a limited transition period to enable the local government authority to secure an alternative source for the service or commodity.

New law imposes a duty on the local governmental authority that is a party to the contract or purchase agreement, to apply in its name, through an attorney of its choosing, to a court of competent jurisdiction for an order or injunction to restrain the misapplication of funds or the execution or performance of any contract or purchase order made on its behalf in contravention of law, or which was procured by fraud or corruption.

New law provides that if the attorney chosen by the local government authority fails to apply for the order or injunction required by new law, within 90 days following a conviction, the district attorney shall apply for such order or injunction on behalf of the local government authority.

Effective June 22, 2010.

(Adds R.S. 33:41)